



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB2128

Introduced 10/19/2005, by Sen. Larry K. Bomke

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-117-12.1
220 ILCS 5/8-205
30 ILCS 805/8.29 new

from Ch. 24, par. 11-117-12.1
from Ch. 111 2/3, par. 8-205

Amends the the Illinois Municipal Code and the Public Utilities Act. Prohibits the termination of gas and electric utility service to a residential user under specified warm weather conditions if the gas or electricity is used as the only source of cooling at the residence or to operate or control the only source of cooling equipment at the residence. Amends the State Mandates Act to require implementation without reimbursement by the State. Effective immediately.

LRB094 13182 MKM 48034 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Municipal Code is amended by
5 changing Section 11-117-12.1 as follows:

6 (65 ILCS 5/11-117-12.1) (from Ch. 24, par. 11-117-12.1)

7 Sec. 11-117-12.1. Termination of gas or electric service.

8 (a) No gas or electric service furnished to residential
9 users by a municipality shall be terminated for nonpayment of
10 bills on:

11 (1) ~~(i)~~ any day when the National Weather Service
12 forecast for the following 24 hours covering the area in
13 which the residence is located includes a forecast that the
14 temperature will be 20 degrees Fahrenheit or below; or

15 (2) ~~(ii)~~ any day preceding a holiday or a weekend when
16 such a forecast indicates that the temperature will be 20
17 degrees Fahrenheit or below during the holiday or weekend.

18 (b) No gas or electric service furnished to residential
19 users, including all tenants of mastermetersed apartment
20 buildings, shall be terminated for nonpayment of bills, if gas
21 or electricity is used as the only source of cooling or to
22 control or operate the only cooling equipment at the residence:

23 (1) on any day when the National Weather Service
24 forecast for the following 24 hours covering the county in
25 which the residence is located includes a heat advisory; or

26 (2) on any day preceding a holiday or a weekend when
27 the National Weather Service forecast includes a heat
28 advisory; or

29 (3) during the period of each year beginning on July 1
30 and through and including September 1.

31 This Section ~~amendatory Act of 1979~~ applies to all
32 municipalities that own or operate a public utility, including

1 home rule units. However, nothing in this Section shall prevent
2 any municipality from establishing more stringent measures.

3 (Source: P.A. 81-986.)

4 Section 10. The Public Utilities Act is amended by changing
5 Section 8-205 as follows:

6 (220 ILCS 5/8-205) (from Ch. 111 2/3, par. 8-205)

7 Sec. 8-205. Termination of gas and electric utility
8 service.

9 (a) Termination of gas and electric utility service to all
10 residential users, including all tenants of mastermetered
11 apartment buildings, for nonpayment of bills, where gas or
12 electricity is used as the only source of space heating or to
13 control or operate the only space heating equipment at the
14 residence is prohibited: ~~7~~

15 (1) ~~1.~~ on any day when the National Weather Service
16 forecast for the following 24 hours covering the area of
17 the utility in which the residence is located includes a
18 forecast that the temperature will be 32 degrees Fahrenheit
19 or below; or

20 (2) ~~2.~~ on any day preceding a holiday or a weekend when
21 such a forecast indicated that the temperature will be 32
22 degrees Fahrenheit or below during the holiday or weekend.

23 (b) Termination of gas and electric utility service to all
24 residential users, including all tenants of mastermetered
25 apartment buildings, for nonpayment of bills, if gas or
26 electricity is used as the only source of cooling or to control
27 or operate the only cooling equipment at the residence, is
28 prohibited:

29 (1) on any day when the National Weather Service
30 forecast for the following 24 hours covering the county in
31 which the residence is located includes a heat advisory; or

32 (2) on any day preceding a holiday or a weekend when
33 the National Weather Service forecast includes a heat
34 advisory; or

1 (3) during the period of each year beginning on July 1
2 and through and including September 1.

3 (Source: P.A. 84-617.)

4 Section 90. The State Mandates Act is amended by adding
5 Section 8.29 as follows:

6 (30 ILCS 805/8.29 new)

7 Sec. 8.29. Exempt mandate. Notwithstanding Sections 6 and 8
8 of this Act, no reimbursement by the State is required for the
9 implementation of any mandate created by this amendatory Act of
10 the 94th General Assembly.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.